

ADMINISTRATIVE PANEL DECISION

Ledcor Industries v. Jay Paul, Jay
Case No. D2025-1081

1. The Parties

The Complainant is Ledcor Industries, Canada, represented by ZeroFox, United States of America ("United States" or "U.S.").

The Respondent is Jay Paul, Jay, U.S.

2. The Domain Name and Registrar

The disputed domain name <ledcorecanada.com> (the "Domain Name") is registered with Global Domain Group LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 16, 2025. On March 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On March 18, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint.

The Center sent an email communication to the Complainant on March 20, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant did not submit an amended Complaint.

The Center verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on April 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 2, 2025.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on May 9, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant was established in 1947. It is a construction company which operates throughout the United States and Canada. It is responsible for the construction of landmark buildings such as Vancouver's Shangri-La Hotel. The Complainant has an online presence through its official website "www.ledcor.com". The Complainant registered the domain name <ledcor.com> in 1995. The Complainant's legal subsidiary "Ledcor IP Holdings Ltd." has registered trademarks for LEDCOR, such as U.S. trademark registration number 4192898, registered on August 21, 2012.

The Domain Name was registered on August 12, 2024. The Domain Name resolves to a website that hosts content that impersonates that Complainant and its official website.

5. Parties' Contentions

A. Complainant

The Complainant provides evidence of trademark registrations and implies that the Domain Name is confusingly similar to the Complainant's trademark as the Domain Name incorporates the entire trademark.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant has not authorized the Respondent to use and register its trademark. The Respondent's use of the Domain Name to impersonate the Complainant is not bona fide use.

The Complainant believes the Respondent registered the Domain Name and used it in bad faith to impersonate the Complainant. The Respondent's unauthorized use of the Complainant's trademark is not only harmful to their reputation and goodwill, but also creates a situation where business is diverted from its official site to a malicious website. Moreover, there is an active mx record for the Domain Name that indicates that the Respondent intends to send and receive emails. Finally, the Respondent's use of a privacy service to hide its identity further points to bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

The first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has established that it has rights in the trademark LEDCOR. In this case, the Domain Name incorporates the Complainant's trademark with the addition of "ecanada". The addition does not prevent a finding of confusing similarity between the Domain Name and the trademark. For the purpose of assessing under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain ("gTLD"); see [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

The Respondent is not affiliated or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent’s use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. On the contrary, the Respondent’s use is evidence of bad faith, see below. Moreover, the Panel notes that the composition of the Domain Name carries a risk of implied affiliation with the Complainant.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel notes that for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular but without limitation, that if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

The Respondent knew of the Complainant when the Respondent registered the Domain Name. It follows from the composition and use of the Domain Name. The use of the Domain Name is clear evidence of bad faith. The Respondent falsely purports to be the Complainant. The Respondent appears to have registered a Domain Name confusingly similar to the Complainant’s trademark to drive Internet traffic to the Respondent’s webpage and perhaps use the emails stemming from the Domain Name in illegal activity. See paragraph 4(b)(iv) of the Policy.

Based on the available record, the Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders the Domain Name <ledcorecanada.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: May 19, 2025